

Contra Costa Mental Health Commission
Monthly Meeting
April, 28, 2011
Minutes approved 5.26.11

1. CALL TO ORDER / INTRODUCTIONS

The meeting was called to order at 4:31 by Vice Chair Kennedy. Introductions were made around the room.

Commissioners Present:

Peter Bagarozzo, District V
Evelyn Centeno District II
Peggy Kennedy, District III, Vice Chair
Dave Kahler, District IV
Colette O’Keeffe, MD, District IV
Floyd Overby, MD, District II
Teresa Pasquini, District I
Annis Pereyra, District II
William Wong, District V
Sam Yoshioka, District IV

Commissioners Excused:

Carole McKindley-Alvarez, District I, Chair

Commissioners Absent:

Supv. John Gioia, District I

Attendees:

Brenda Crawford, MHCC
Suzanne Davis-Lucey, Conservatorship
Candace Tao. Jail MH
Carolina Salazar, District IV
Julia Landau, Press – HealthyCal.org
Bryanne Truttman, SMC Student
Tess O’Neil, SMC Student
Amy Bucker, SMC Student
Katrina Ramirez, SMC Student
Scarlett Sidley, SMC Student
Gabriella Crivello, SMC Student
Tasha Jayakoddy, SMC Student
Chantal Dennis, SMC Student
Ryan Pascual, SMC Student
Wayne Doyle, SMC Student
Doresy EK, SMC Student
Johnathan Geertsens, SMC Student
Diana Mota, SCM Student
Stephanie D’souza, SMC Student
Angela D’souza, SM Highschool

Staff:

Linda Cipolla, Staff to MHC
Susan Medlin, OCE
Suzanne Tavano, MHA
Donna Wigand, MHA
Sherry Bradley, MHA
Mary Roy, MHA
Helen Kearns, MHA
Imoh Momoh, MHA
Jennifer Tuipulotu, OCE

2. **PUBLIC COMMENT**

The public may comment on any item of public interest within the jurisdiction of the Mental Health Commission. In the interest of time and equal opportunity, speakers are requested to observe a 3-minute maximum time limit (subject to change at the discretion of the Chair). In accordance with the Brown Act, if a member of the public addresses an item not on the posted agenda, no response, discussion, or action on the item may occur. Time will be provided for Public Comment on items on the posted Agenda as they occur during the meeting. Public Comment Cards are available on the table at the back of the room. Please turn them in to the Executive Assistant.

Commissioner Yoshioka spoke about the letter from the Planning council which was provided to the Nominating Committee. He would like the full Commission to receive the letter.

He also stated that there were currently workshops provided by the American Association on Aging going on in SF. He attended and recommended a workshop on behavioral health which came from the Southern Arizona region regarding integrating alcohol, drug and mental health under the umbrella of behavioral health. Meetings will still be occurring through Saturday, for anyone who is interested in attending.

Commissioner Yoshioka brought up a desire to meet with visitors to the MHC meeting and suggested a format that would take five minutes in the beginning of the meeting to meet them and make them comfortable.

3. **ANNOUNCEMENTS**

A. Vice Chair Kennedy is facilitating due to Chair McKindley-Alvarez's attendance at the California Association of Local Mental Health Boards and Commissions meeting in Anaheim

4. **CONSIDER APPROVAL OF MINUTES**

A. March 24, 2011 Monthly Meeting

Commissioner Centeno made a public comment and had an issue with what occurred in her absence at the March 24th Monthly Meeting. She read (*inserted as a matter of record*).

She said she feels it is not a safe environment (*within the Commission.*)

Commissioner Pasquini said she had a 'point of order question' which she directed to the Vice Chair. She felt Commissioner Centeno's statement was a discussion of the March minutes and not a public comment. She wanted to hear more detail to understand what specific parts of the minutes were being addressed since there were two meetings in which the AB3632 proposed letter was discussed. The first was the 3.5.11 Executive Committee meeting where the Deputy Director and the former MH Director commented on the accuracy of the letter. She didn't want the record to go forward with inaccurate information.

Vice Chair called for a motion to approve the March 24, 2011 minutes.
Commissioner Kahler moved and Commissioner Wong seconded.

Discussion:

Commissioner Pereyra asked that the following typo be changed: ‘extended’ to ‘expended’ on page 6, top paragraph of minutes top of page.

Page 9 contained the issue of AB3632 letter drafted by Evelyn Centeno, per Commissioner Pasquini’s inquiry.

Vice Chair Kennedy explained to Commissioner Centeno that the minutes may have led her to believe the proposed letter had been put before the Board. Actually per the minutes she had been responding to a comment made by Dr. Tavano in which the Commission had been informed the Board was not in favor of AB3632, so Kennedy was, in the March minutes, referring to her discussion of that (from the previous Executive Committee meeting.) She confirmed they had not presented the letter to the Board.

Commissioner Centeno asked that the sentence be rewritten; “the letter went per Suzanne – the board was not in favor of AB3632”.

Commissioner Pasquini: the letter was referred to the Executive Committee and was thoroughly reviewed with an extensive conversation and she didn’t think they should interpret Suzanne’s words. She acknowledged that there are no longer verbatim minutes and that the recording should be checked. She said she is sensitive to comments about ‘safety’ and didn’t want to give the impression that she was personally attacking anyone with her comments. Nor as a parent of an AB3632 family member would she question anyone’s right to address 3632.

Commissioner Centeno asked what action would be taken. She felt it was not credible “a whole letter that is researched, to be factually incorrect.” She felt the term ‘factually incorrect’ inferred that she was ‘making up things.’

Commissioner Pasquini requested the minutes be edited as follows: “Commissioner Pasquini felt the Executive Committee discussed that part of the letter was factually incorrect.”

The motion was amended by Kahler and Wong to include that clarification in the minutes in regard to the AB3632 letter.

- **ACTION: Motion made to approve the March 24, 2011 Monthly Meeting minutes with corrections:** (M- Kahler /S- Wong/Passed, 8-0-2, Y- Bagarozzo, Kahler, Kennedy, Overby, Pasquini, Pereyra, Wong, Yoshioka; A-Centeno, O’Keeffe)
Commissioner Centeno did not attend the 3.24.11 meeting so abstained from the vote.

B. April 5, 2011 Special Meeting

Commissioner Wong moved for approval and Commissioner Bagarozzo seconded.

Discussion:

Commissioner Yoshioka felt the special meeting has not been called for. Especially the first motion had nothing to do with the item that had been discussed. He was glad it as well as the second motion failed.

He wanted follow through on two things with the motion made for the Chair and Vice Chair to draft a letter regarding the hiring process for the already chosen Division Director and also for the yet to be chosen MH Director. He thought the letter should have been included in the packet as part of the meeting.

Vice Chair Kennedy agreed and said the letter had been written but hadn't made it into the packet. She also explained that when she and the Chair started work on the letter, they had decided it made more sense to create one letter instead of two. They combined the two and included everything that was in the motions. A copy of that letter will be in the May packet. Also, in those letters, they requested that Dr. Walker and Cynthia Belon attend their May meeting.

Commissioner Yoshioka read from the 4.5.11 minutes on page 11 of 11 "since the commission authorizes the Chair to advocate for the unified effort around budget issues" he wondered if 'anything has been done around advocacy of the budget issue.'

Kennedy explained that Chair McKindley-Alvarez's intention had to do with attending the Anaheim meeting, in which she was currently attending.

There was discussion reminding Yoshioka about the purpose for wanting partnership in advocacy on the state level as had been discussed at the Special MHC meeting of 4.5.11.

Commissioner Centeno wanted clarification on the expectation (*per the minutes*) that Commissioner Bagarozzo had referred to her being the chosen liaison to the federal... Vice Chair explained that in a prior meeting in the Fall, Centeno had been chosen as a representative for health reform. Commissioner Pasquini explained that Donna Wigand had requested a MHC member join her in an effort that was directed by Dr. Walker to get a stakeholder process around healthcare reform. The commission had nominated Centeno. That was referenced in the discussion (*during the special meeting*) when Bagarozzo raised the question whether the process had begun.

- **ACTION: Motion made to approve the April 5, 2011 Special Meeting minutes:** (M- Wong /S- Bagarozzo/Passed, 9-0-1, Y- Bagarozzo, Kahler, Kennedy, O'Keeffe, Overby, Pasquini, Pereyra, Wong, Yoshioka; A-Centeno)
Commissioner Centeno did not attend the 4.5.11 meeting so abstained from the vote.

5. **CONSIDER Nominations and Approve Appointments of Commissioners to the Nominating and Criminal Justice Committees**

Commissioner O'Keeffe nominated Commissioner Wong to the Nominating Committee, seconded by Commissioner Yoshioka.

- **ACTION: Motion made to have Commissioner Wong on the Nominating Committee:** (M- O'Keeffe /S- Yoshioka/Passed unanimously

Commissioner Overby nominated Commissioner Kahler. There was discussion about how many seats were available. With Wong being nominated to the Nominating Committee, he would be the fourth and final seat. Kahler was in agreement to allow Wong the seat.

The criminal justice committee had one seat available, members consisted of Kahler, Bagarozzo and Yoshioka, as Centeno had stepped down from the seat in March. Commissioner Pereyra nominated Overby and Centeno seconded.

- **ACTION: Motion made to have Commissioner Overby on the Criminal Justice Committee:** (M- Pereyra /S- Centeno/Passed unanimously

6. **MHSA UPDATE – Annis Pereyra and Teresa Pasquini**

Commissioner Pereyra said she'd been working diligently on the farm project (*Bonita House*) She welcomed advocacy and provided the location to send letters of support in order to go into public record prior to the hearing:

Clerk of the Board
651 Pine Street, room 106, Martinez, 94553
Fax 925-335-1913 attention: Clerk of the Board
Refer to: Bonita House, Knightsen.

The date was yet unknown when the appeal will go to the Board.

Dorothy Sansoe said there is a place on the BOS website with a link to post public comments and that all comments should be submitted electronically 24 hours in advance of meeting, or you can attend and speak during the appeal session. (*It was learned later that the site Sansoe spoke of had been taken off the site.*)

Commissioner Pasquini questioned why there was instruction to send public comment in advance and if this was a new process she didn't know about. Carolina Salazar explained that per Supervisor Mitchoff when folks spoke to her about the appeal, she had suggested people provide public comment in advance, to get as many voices as possible, especially in case they could not attend the meeting which will occur during the weekday.

Regarding the Housing report, Commissioner Pereyra explained that she missed the housing meeting in order to meet with Supervisor Uilkema to discuss the farm project (Bonita House) but was stood up.

7. **STANDING COMMITTEE UPDATES**

A. Capital Facilities

ACTION

There was discussion about who would provide the report. Pereyra wanted Secretary Wong to do so. Commissioner Pasquini thought she was the recommended Chair which needed to be approved (*by the Commission*) but would be happy to speak on behalf of the committee.

The Capital Facilities Committee met on April 6th. Pasquini called the meeting to order as the former chair from last year and by consensus was asked to resume as Chair. Pereyra was voted Vice Chair and Wong Secretary.

She prepared a draft mission statement which was discussed and was listed on page 25 of the packet. She read the mission per the packet.

“Mission Statement: To advocate, educate and partner with all stakeholders to improve accessibility to all healthcare facilities, housing services, and support services along the continuum of care. A consumer and family centered focus will drive our efforts which will include collaborative opportunities for continuous improvement of our mental health system.”

Due to the time issue, she said she hoped everyone had read the handout in the packet which included a detailed action plan.

The Committee asked the Commission to approve the mission statement and proposed action plan. A timeline around the action plan would be developed in the next committee meeting.

MOTION: Vice Chair Kennedy moved that the Commission approve the Capital Facilities mission statement and action plan as proposed on pages 25 and 26; Seconded by Kahler. Wong requested that approval for Pasquini as Chair be included in the motion. There was discussion and it was determined that the standing committees approve their officers (*and do not require approval from the Commission.*)

- **ACTION: Motion made to** approve the Capital Facilities Committee mission statement and action plan (M-Kennedy /S-Kahler/Passed unanimously

Commissioner Pereyra asked that visitors in attendance read the appeal for the Bonita House farm project (pg.29 in packet) – the hearing will speak to the appeal and the items of appeals that were listed.

Brenda Crawford said they are doing advocacy 101 at all three centers. She asked that they (*Capital Facilities Committee*) come to the centers to speak about it. Susan Medlin said she hoped they would come and speak at SPIRIT as well.

Commissioner O’Keeffe wondered what was influencing the project she felt the Board had some resistance for something that seems to be a stellar project. Page 30 of the packet, she read “There is simply not enough coverage in rural Knightsen to run the risk of putting ten potentially volatile people in one location out of the jurisdiction of City police and fire. Neither the Bonita House nor the Commission has addressed these safety concerns.”

She said the public safety union is extremely politically powerful and she felt that in order to be effective they would need to advocate directly to them.

Commissioner Pereyra clarified that this appeal statement was from the people who do not want the facility in Knightsen – it had nothing to do with opinions of the BOS. O’Keeffe reiterated that police and fire are the biggest opposition as opposed to a few neighbors so the advocacy focus should be directed at them.

**B. Criminal Justice
ACTION**

The Chair of the Criminal Justice Committee, Commissioner Kahler said three people from the Juvenile Commission attended the last meeting. One of whom worked three years in the jail who arranged a tour of the detention facility for May 10th.

There was a reminder that the mission needed to be approved so Vice Chair Kennedy read the CJ mission in the packet on page 41 for approval:

“To advocate for the mental health consumer so that law enforcement and practitioners will view the rights of the consumer when upholding the law.”

Commissioner O’Keeffe moved to approve the mission, Kennedy seconded.

Commissioner Pasquini was concerned that families weren’t included in the mission. She requested an amendment which was approved to include, “The rights of consumers and concerns of families” to be added to the mission.

O’Keeffe and Kennedy also approved an amendment to accept the listed goals (pg. 42) as well as the mission in the motion.

Discussion:

There was suggestion that they were being rushed to approve goals so they decided to vote on just the mission statement.

O’Keeffe and Kennedy approved an amendment to the motion to accept only the mission.

- **ACTION: Motion made to approve the Criminal Justice Committee mission statement with addition:** (M-O’Keeffe /S-Kennedy/Passed unanimously

**C. Quality of Care
ACTION**

Vice Chair Kennedy as Chair of the Quality of Care Committee said they had two proposals, the first was a mission statement for approval and she read:

"To assist consumers, family members and other stakeholders in advocating for the highest quality services and supports for Contra Costa County consumers."

Commissioner Wong moved to approve the mission statement and O’Keeffe seconded. There was no discussion.

- **ACTION: Motion made to approve the Quality of Care Committee mission statement:** (M-Wong /S-O’Keeffe/Passed unanimously

Vice Chair Kennedy’s second proposal on behalf of the committee was regarding consumer workforce supportive services which had been discussed at the last meeting and included folks from Putnam House and Adult Vocational Services. (They provide services that address job readiness, bullying, consumer rights and job coaching.) It was good to see those services were already available. However, these services may not be enough and/or may not be well known to consumers.

There had been discussion (*in their meeting*) about creating a taskforce which would consist of Quality of Care Standing Committee members, consumers and representatives from agencies currently providing services. The task force would identify current services, gaps within the system and a proposal for systematic enhancement.

MOTION: She moved that the Quality of Care committee create a task force, to address consumer and programmatic intervention and prevention strategies, supports, and training for successful consumer employment. O’Keeffe seconded the motion.

Discussion:

Brenda Crawford asked if there was data gathered on unsuccessful consumer employment within the system. In other words, what was the basis for the taskforce that identifies it as an unmet need.

Commissioner O’Keeffe said she thought the point (*of the taskforce*) was to get the data.

Crawford said it wasn’t the standard process when developing an action plan, to address something that could or could not be an issue. She understood it was within the purview of the Commission to develop whatever task force they want, but that it was not in compliance with other processes that the county had used to identify unmet needs.

Commissioner Pasquini said she was struggling with the task force for similar reasons and wanted to know how many consumers are affected by this process. She referred to the annual meeting for the process for determining the priorities of how they are spending their time.

Vice Chair Kennedy said that Pasquini was speaking about the committees goals which would not be approved until the May meeting.

Pasquini had an issue approving the taskforce before approving the goals and was also concerned about spreading themselves as volunteers. Kennedy explained it would be a mix of 10 people from the committee, Putnam House and Vocational Services.

O’Keeffe said as a consumer rep and a big source (*of information*) being bus riders. She couldn’t provide names but had spoken to a significant number of people who had felt hurt by problems in the work place. She felt it was not trivial and that it was worth the time.

Commissioner Pasquini didn't want her comments to be misconstrued; she was not saying it wasn't important.

Due to time the Vice Chair ended discussion and called for a vote:

Motion was made to create a task force for the Quality of Care committee; the motion failed.

- **Motion made to create a taskforce under the Quality of Care Committee to address consumer and programmatic intervention and prevention strategies, supports, and training for successful consumer employment:** (M-Kennedy /S-O'Keeffe/Failed Y-Kennedy, O'Keeffe, Overby;

D. Nominating Committee

Commissioner Yoshioka said the committee interviewed applicants, two of whom had submitted applications in 2010.

He wondered why the agenda provided an action item for each committee except the Nominating Committee. The Chair said her understanding was that the Chair of each committee needed to contact the Commission Chair and EA in order to get a request for an action on the agenda therefore she guessed that he hadn't provided the request in time. The example of the Criminal Justice Committee having an action item on the agenda was due to resubmitting their mission statement for approval. Yoshioka agreed to bring it up at the next meeting.

8. STATE BUDGET

A. DISCUSS mandates and overall budget

B. ACTION: Next Steps

The time was past 5:30 and Vice Chair Kennedy explained the budget item requested by O'Keeffe had been postponed due to lack of time in prior meetings. Acting MH Director, Dr. Tavano, came to address the suspended mandates and suggest ways to advocate around state budget issues.

Though there wouldn't be time for discussion, Acting MH Director asked for a couple of minutes to provide an update.

Commissioner Wong said it might be more relevant to wait until after the Governor's May revise and preferred postponing the item.

Commissioner O'Keeffe said one of her hopes was to get input into the May revise, since end December, beginning of January (*when she first brought it up.*)

Acting MH Director:

At the state level the May revise will be pivotal. Meanwhile the one thing that has already occurred is legislation was passed to move \$861M out of the MH Services Act and assigned those funds for other purposes.

The three purposes:

- Cover cost of DPSDT

- Managed Medi-Cal
- No longer referred to AB3632 since the mandate was suspended, now called MHS for Special Education Pupils.

They don't know how that pot of money will be allocated within subgroups. The big shift is that it caps the amount on all three items. Whereas in the past there wasn't a cap on DPSDT.

The State is moving everything into what is conceptualized as Managed Care.

It's problematic in that there is no mandate for 3632, and there is no federal entitlement for DPSDT. MHA will be expected to manage whatever they're given, but they don't know the amount yet.

On the local level, two weeks ago at the first of the County's budget hearings, they had been asked to submit recommendations for a \$1.6M reduction for the MH Division. 3 items chosen were:

- Increased management of DPSDT expenditures because it dovetails with the state issues
- They referred 3632 services but it is going to be 'MHS to Special Education Pupils'
- Because of the significant amount of retirements that has occurred, there will be salary savings accrual approval over approximately the next six months.

The Health Services budget recommendations were accepted but not yet voted on. Piepho asked both Health Services and Employment Services what more would need to be cut with further reductions in future.

She didn't think it had been mentioned in the MHC meetings prior but wanted them to be aware of changes regarding Seneca Center, a residential program for children and adolescents on Oak Road. There had been an interactive process with the contractor and it had been mutually agreed that the program would be closing for a few reasons. Primarily relating back to back to 3632 and the number of referrals to Education went down. The county cost to sustain it was going up, it became fiscally unmanageable and they all agreed that it couldn't continue.

At the end of July the current contractor will be vacating. It's a wonderful campus that the county put money into some years ago. MHA immediately put a placeholder on it and made a bid for MH to have first dibs for other possibilities using the campus. They hear the community stakeholder input about wanting more services for transitional age youth, and more housing so in the next few months they'd like to enlist some help in putting together a proposal that is fiscally sustainable.

Some good news: the Department of Mental Health did their tri-annual review of their system, and got glowing remarks, from a 62 page protocol they scored 98 on the audit.

Also today they got a great notice: a few years ago the state was sued by children's advocates over inadequate provision of therapeutic behavioral services. Contra Costa County has traditionally been seen as one of the good five counties in the state for adequately addressing, but did have to go through a statewide certification process. They got the certification letter that day and was credited with being exceptional in outreach services.

Discussion:

Commissioner O'Keeffe requested that the topic of state budget be placed on the agenda next month and be placed early in the agenda (*so it doesn't get postponed*).

Commissioner Pasquini was concerned to hear that Seneca was closing at that late date in the process, and wondered why as a Commissioner that she was not notified.

Acting MH Director said she wanted to squeeze it into the meeting that day knowing that it hadn't been spoken of in the past and she felt it was important to be communicated. It had been an interactive process over several months and was agreed it was not sustainable.

Commissioner Pasquini said she had a huge problem with not being told and not being provided data. She said it was a trust issue, not that she didn't believe Dr. Tavano, but that they might have offered additional ideas. It caused her concern.

Acting MH Director said she understood and that's why she wanted to tell them that night and would continue to make them aware of issues going forward.

Commissioner Pereyra asked about the Seneca Center working children's division limited mobile crisis response and Tavano confirmed that program will continue.

ADJOURN MEETING

The meeting was adjourned at 5:40 with a short break before the Public Hearing.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the staff to a majority of the members of the Mental Health Commission less than 96 hours prior to that meeting are available for public inspection at 1340 Arnold Drive, Ste. 200, Martinez during normal business hours

Respectfully submitted,
Linda Cipolla
Executive Assistant